



**PARTIES**

5. Plaintiff is a natural person residing in Oklahoma City, Oklahoma County, Oklahoma.

6. Plaintiff is allegedly obligated to pay a debt and is a consumer as defined by 15 U.S.C. § 1692a(3).

7. Defendant is a collection agency with its principal place of business in Minneapolis, Minnesota.

8. Defendant is a debt collector as defined by 15 U.S.C. § 1692a(6), and sought to collect a consumer debt from Plaintiff.

9. At all times relevant to this Complaint, Defendant has acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives and insurers in the District of Minnesota.

**FACTUAL ALLEGATIONS**

10. In or around December of 2012 and January of 2013, Defendant placed collection phone calls to Plaintiff in an attempt to collect a debt arising from transactions for personal, household, and/or family purposes.

11. Defendant placed collection phone calls to Plaintiff at 405-414-28XX.

12. In or around late December of 2012 and early January of 2013, Defendant's representative, "Linda Well," placed a collection call to Plaintiff and left a voicemail message for Plaintiff.

13. In the voicemail message, Defendant's representative, "Linda Well," failed to disclose the name of the company placing the call, failed to disclose the nature of the call, and failed to state that the call was being placed by a debt collector. *See* transcribed

voicemail message attached hereto as Exhibit A.

14. In the voicemail message, Defendant's representative, "Linda Well," directed Plaintiff to return the call at 877-543-6151, and Reference ID 5884215, which is a number that belongs to Defendant. *See* Exhibit A.

15. Defendant is using false, deceptive and misleading means in connection with attempting to collect a debt by not identifying the purpose of its phone calls or that they are an attempt to collect a debt.

**COUNT ONE:**  
**VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT**  
**15 U.S.C. § 1692 et seq.**

17. Defendant's violations of the FDCPA include, but are not limited to, the following:

- a. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse Plaintiff;
- b. Defendant violated §1692d(6) of the FDCPA by placing of telephone calls without meaningful disclosure of the caller's identity;
- c. Defendant violated §1692e of the FDCPA by using false, deceptive, and misleading representations in connection with the collection of any debt;
- d. Defendant violated §1692e(10) of the FDCPA by using deceptive means in an attempt to collect a debt; and
- e. Defendant violated §1692e(11) of the FDCPA by failing to disclose in subsequent communications that the communication was from a debt collector.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays that judgment be entered against Defendant for the following:

- a. Statutory damages pursuant to 15 U.S.C. § 1692k;
- b. Reasonable attorneys' fees, costs pursuant to 15 U.S.C. § 1692k; and
- c. Awarding such other and further relief as may be just, proper and equitable.

Dated: March 7, 2013

**KROHN & MOSS, LTD**

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